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Proposed programme budget for the biennium 2002-2003

Right of peoples to self-determination

Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

Programme budget implications of draft resolution A/C.3/56/L.31

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

1. At its 50th meeting, on 27 November 2001, the Third Committee adopted draft resolution A/C.3/56/L.31. The programme budget implications of the draft resolution were before the Committee in document A/C.3/56/L.77, and are reproduced below for consideration by the Fifth Committee.

I. Requests contained in the draft resolution

2. Under the terms of operative paragraph 10 of draft resolution A/C.3/56/L.31, the General Assembly would request the United Nations High Commissioner for Human Rights to convene, before the fifty-ninth session of the Commission on Human Rights, a second expert meeting, pursuant to General Assembly resolution 54/151 of 17 December 1999, to continue studying and updating the international legislation and to make recommendations for a clearer legal definition of mercenaries that would make more efficient the prevention and punishment of mercenary activities.

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II. Relationship of the request to the medium-term plan for the period 2002-2005 and to the programme of work for the biennium 2002-2003

3. The activities referred to above are associated with subprogramme 3, Advisory services, technical cooperation, support to human rights fact-finding procedures and field activities, of programme 19, Human rights, of the medium-term plan for the period 2002-2005[1] and to the same subprogramme of section 22, Human rights, of the programme budget for the biennium 2002-2003 (A/56/6 (sect. 22)).

III. Activities through which the requests would be implemented

4. Should the General Assembly adopt the draft resolution, an expert meeting would be convened by the United Nations High Commissioner for Human Rights at Geneva in 2002 for a period of five working days. A total of 10 academic experts would be invited to the meeting.

IV. Modification required in the programme of work for 2002-2003

5. The narrative of section 22 of the proposed programme budget for the biennium 2002-2003 would be modified as shown below and incorporated into the final version subject to a decision of the General Assembly. The proposed revisions to section 22 are as follow:

Paragraph 22.44 (a)

At the end of the subparagraph add:

"(v) Expert meeting to study the international legislation in force and to make recommendations for a clearer legal definition of mercenaries that would make more efficient the prevention and punishment of mercenaries activities."

Paragraph 22.44 (b) (i)

At the end of the subparagraph add:

"and one study on the international legislation in force, including recommendations for a clearer legal definition of mercenaries."

V. Indication of additional requirements

6. The implementation of the requests contained in the draft resolution would entail the following requirements for the biennium 2002-2003 in United States dollars:

Section 22, Human rights	
General temporary assistance	
6 weeks at the P-3 level	11 000
6 weeks at the General Service level	8 600
Ad hoc expert group	
10 academic experts from different regions (travel and daily subsistence allowance)	44 500
Total	**64 100**
Section 2, General Assembly affairs and conference services	
Meeting services, 10 pre-session documents, 5 in-session documents, 5 post-session documents and other requirements	**154 200**

7. No provision has been made under the proposed programme budget for the second expert meeting. At this stage, it is not anticipated that these requirements could be absorbed within the existing resources under section 22, Human rights, of the proposed programme budget for the biennium 2002-2003.

8. In connection with conference-servicing requirements, the extent to which the Organization's permanent capacity would need to be supplemented by temporary assistance resources can be determined only in the light of the calendar of conferences for 2002-2003. However, provisions are included under section 2, General Assembly affairs and conference services, of the proposed programme budget for 2002-2003 not only for meetings programmed at the time of the budget preparation but also for meetings that would be authorized subsequently, provided that the number and distribution of meetings and conferences are consistent with the pattern of meetings in past years. As a result, no additional appropriation would be required under that section.

VI. Contingency fund

9. It will be recalled that under the procedure established by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established each biennium to accommodate additional expenditures derived from the legislative mandates not provided for in the approved programme budget. Under the same procedure, if additional expenditures proposed exceed resources available from the contingency fund, these activities can be implemented only through the redeployment of resources available from low-priority areas or the modification of existing activities.

10. Should it not prove possible to meet the cost required from the contingency fund, the activities and outputs to be carried out under section 22 foreseen for the biennium 2002-2003 would have to be further reprogrammed and modified beyond the proposals included in the present statement.

VII. Summary

11. Should the General Assembly adopt draft resolution A/C.3/56/L.31, that decision would give rise to additional requirements of $64,100 for the biennium 2002-2003 under section 22, Human rights.

12. It is not possible at this stage to identify activities within section 22 that could be terminated, deferred, curtailed or modified during the biennium.

13. Consequently, an additional provision of $64,100 would be required over and above the resources proposed under section 22, Human rights. This provision would represent a charge against the contingency fund and, as such, would require an increase in appropriations for the biennium 2002-2003.

Notes

[1] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 6* (A/55/6/Rev.1).